REMARKS

The Applicant has filed the present Amendment in reply to the outstanding Final Rejection of April 11, 2005. The amendments are made pursuant to 37 CFR 1.116 in order to comply with requirements set forth in the Final Rejection, and to place the application in condition for allowance or in better form for appeal. The Applicant believes this Amendment to be fully responsive to the Final Rejection for the reasons set forth below.

In the Final Rejection, the Examiner objected to Claim 1 because of the informalities identified on page 2 of the Final Rejection. The Examiner objected to the drawings pursuant to 37 CFR 1.83(a) based on the claimed features identified on pages 2-3 of the Final Rejection. The Examiner rejected Claims 2-12 pursuant to 35 U.S.C. §112, second paragraph, as allegedly indefinite based on limitation in Claims 2 and 6. The Examiner rejected Claims 1 and 13 pursuant to 35 U.S.C. § 102(b), as allegedly anticipated by Harder (U.S. Patent No. 4,553,720). The Examiner further rejected Claim 13 pursuant to 35 U.S.C. § 102(b) as allegedly anticipated by, or in the alternative, pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over, Harder. The Examiner next rejected Claims 2-10 pursuant to § 103(a), as allegedly unpatentable over Harder in view of Hansen, et al. (U.S. Patent No. 5,704,086) (hereinafter "Hansen"). Lastly, the Examiner lastly rejected Claims 11, 12 pursuant to § 103(a), as allegedly unpatentable over Harder in view of Hansen and further in view of Cherry (U.S. Patent No. 4,488,236).

At the outset and before addressing the objection and the rejections raised in the Final Rejection, the Applicant has amended Claims 1-6, and 9-13. The Applicant has amended Claim 1 to more clearly recite and differentiate the elements of the boarding ramp in accordance with the present invention. More specifically, the boarding ramp comprises at least one fixed-height corridor and a gangway corridor unit, as more particularly recited in Claim 1. Support for this amendment is found in the original specification on page 4, lines 11-17, in view of Figs. 2 and 8. Furthermore, the Applicant

has amended Claims 2-6 and 9-13 to make the subject matter of the dependent claims correspond to subject matter of the amended independent Claim 1. The Applicant respectfully submits that no new subject matter has been entered via the foregoing amendments and that the amendments were made in order to comply with the requirements set forth in the Final Rejection.

In traversing the objection to Claim 1, the Applicant has amended Claim 1 to correct the identified informalities requested in the Final Rejection. More specifically, the Applicant has amended Claim 1 to distinguish the "at least one fixed-height corridor unit" from the "gangway corridor unit," so as to avoid the Examiner's possible interpretation that would limit the former limitation.

Consequently, the Applicant respectfully requests the Examiner to withdraw the objection to Claim 1.

In traversing the objection to the drawings, the Applicant respectfully submits that in view of the clarifying claim amendments herein, the drawings do show every feature of the invention recited in the amended claims. More specifically, the recited limitation "at least one fixed-height corridor unit having a rear end abuttable to the terminal or the vehicle at ground level thereof" of Claim 1 is depicted generally in Fig. 1 and depicted more specifically as reference 22 in Figs. 2 and 8. As to the Examiner's allegation that the claims permit an alternative embodiment wherein more than one of the "at least one fixed-height corridor unit" is abuttable to the terminal or the vehicle, the Applicant respectfully submits that the claims do clearly recite (supported by the drawings and associated specification) that the at least one fixed-height corridor unit is capable of abutting to the terminal or the vehicle at ground level. The interpretation espoused by the Examiner, to wit, that more than one fixed-height corridor unit is abutted to the terminal or the vehicle, is clearly contrary to the plain meaning of Claim 1 and plainly contrary to the dictionary definition of the suffix "able." Finally, the recited limitation "each fixed-height corridor unit being formed of at least two sections" of Claim 2 is depicted as sections A and B in Figs. 3, and 4A-B.

Consequently, the Applicant respectfully requests the Examiner to withdraw the objection to the drawings.

In traversing the rejection of Claims 2-12 pursuant to 35 U.S.C. § 112, second paragraph, the Applicant respectfully submits that the amended claims are definite and particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. More specifically, the "plurality of fixed-height corridor units" recited in Claim 2 further limits the limitation "at least one fixed-height corridor unit" recited in Claim 1. Additionally, the limitation "each fixed-height corridor unit being formed of at least two sections" of Claim 2 refers to the antecedent of "plurality of fixed-height corridor units arranged end to end in a series." Thus, in response to the Examiner's question of "how many individual units are being claimed," the Applicant respectfully submits that it is clear from the amended recitation in Claim 2, that a plurality of fixed-height corridor units is being claimed in Claim 2. Fig. 8 depicts an embodiment that includes two fixed-height corridor units. It is to be noted that any number of fixed-height corridor units may be provided depending on the particular application and/or requirement.

In further traversing the rejection of Claims 2-12 pursuant to 35 U.S.C. § 112, second paragraph, the Applicant respectfully submits that the limitation "said gangway corridor unit is of increasing height from the height of said at least one fixed-height corridor unit to encompass the height of the aircraft door" of Claim 6 is clear and definite. More specifically, because the amended independent Claim 1 distinguishes the "at least one fixed-height corridor unit" from the "gangway corridor unit," it is clear that the gangway corridor is of increasing height from the height of the at least one fixed-height corridor unit.

Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 2-12 pursuant to 35 U.S.C. § 112, second paragraph.

In traversing the rejection of Claims 1 and 13 pursuant to 35 U.S.C. § 102(b), the Applicant respectfully submits and reiterates that Harder is defective in that it fails to disclose a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended independent Claim 1. The claimed invention provides a boarding ramp for the contained movement of passengers between the ground exit of an airport terminal or a vehicle and the door sill of the aircraft, which are at different heights.

Anticipation pursuant to 35 U.S.C. § 102(b) requires that each and every element of the claimed invention be disclosed in a single prior art reference. *In re Pulsen*, 30 F.3d 1475 (Fed. Cir. 1994). For anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic & Res. Found. V. Genentech, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). The corollary of the rule is that the absence from the reference of any claimed element negates anticipation. *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565 (Fed. Cir. 1986).

In applying the rule for anticipation to the recited in claim 1, the Applicant respectfully submits that Harder does not disclose each and every element recited in Claim 1. More specifically, Harder fails to disclose 1) a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein 2) the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft. With respect to the first point above, Harder's discloses a cabin 4 that has a bottom comprising two different sections; an inner section 9 that is rigid, and an outer section 8 that is movable (See Harder, Col. 2, lines 4-12 in view Fig. 3). At rear end of cabin 4, the inner section 9 of the bottom connects to the rotunda, and at the forward end of cabin 4, the outer section 8 of the bottom connects to the doorsill of the airplane. Because the inner section 9 is rigid (not movable), the bottom of cabin 4 is not

pivotally attached at the rear end of the cabin 4. That is, only a portion of the bottom of cabin 4 is movable, to wit, only section 8 of the bottom is movable. Therefore, it is clear that Harder does not disclose a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, as particularly recited in amended Claim 1.

With respect to the second point, Harder is directed to a passenger bridge 3 for linking jet airplanes to airport terminals that are generally at "second-level" height off the ground, i.e., not ground level. The second-level height is approximately 12 to 15 feet off the ground. Because only the outer section 8 of the bottom of cabin 4 is movable, Harder's cabin 4 is designed for and assures only that the passenger bridge 3 completely seals off any gaps between the two-part bottom of cabin 4 and threshold of the airplane door (See Harder, Col. 1, lines 41-45; and Col. 3, lines 6-10). The gaps to be sealed off may result from positioning and height of the airplane on the apron with respect to the passenger bridge 3. Harder discloses that an object of its passenger bridge 3 is to satisfy the sealing-off requirements at level and downwardly slanted positioning of the cabin 4 with respect to the airplane (See Harder, Col. 1, lines 47-51). However, contrary to the Examiner's allegation, Harder is completely silent and does not disclose an airport terminal that is at ground level and that the two-part bottom of cabin 4 has the ability to incline from the ground level to the door sill of the airplane. More specifically, Harder discloses only that the outer section 8 of cabin 4 inclines relative to passenger bridge 3 and hence relative to inner section 9 of cabin 4. (See Harder, Col 3, lines 10-13). Therefore, it is clear that Harder does not disclose a gangway (of gangway corridor) that is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended Claim 1.

Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 1 pursuant to 35 U.S.C. § 102(b). Furthermore, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 13 based at least on its respective dependency from the amended independent Claim 1.

In traversing the rejection of Claim 13 pursuant to 35 U.S.C. § 102(b) or in the alternative 35 U.S.C. § 103(a), the Applicant respectfully submits that Harder is defective in that it fails to disclose, or teach or suggest, a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in amended Claim 1 from which Claim 13 depends. The arguments presented hereinabove in respect of Harder are incorporated herein in their entirety and will no be repeated. In addition, Harder does not disclose, or teach or suggest, that the gangway is selectively inclinable between the ground level of the terminal or the vehicle and said door sill of said aircraft having a height of up to and including sixteen feet, as particularly recited in Claim 13. Although Harder discloses or teaches that the outer section 8 of the two-part cabin 4 inclines relative to passenger bridge 3 and hence relative to inner section 9 of cabin 4, Harder fails to disclose, teach or suggest, that the bottom of cabin 4 (including sections 8 and 9) is selectively inclinable between ground level and the door sill of the aircraft having a height of up to and including sixteen feet (See Harder, Col. 3, lines 10-13). As aforementioned Harder is directed to linking jet airplanes to airport terminals that are generally at "second-level" height off the ground, i.e., not ground level. To this end, the Applicant reiterates that Harders's section 8 inclines relative to the passenger bridge 3 for sealing off any gaps between the two-part bottom of cabin 4 and threshold of the aircraft door (See Harder, Col. 1, lines 41-45; and Col. 3, lines 6-10). Therefore, it is clear that Harder does not disclose or teach a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in amended Claim 1 from which Claim 13 depends.

Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claim 13 pursuant to 35 U.S.C. § 102(b), or in the alternative, pursuant to 35 U.S.C. § 103(a), based at least on its dependency from the amended independent Claim 1.

In traversing the rejection of Claims 2-10 pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Harder-Hansen combination is defective in that it fails to teach or suggest a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended independent Claim 1 from which Claims 2-10, depend either directly or indirectly. The arguments presented hereinabove in respect of the primary prior art reference to Harder are incorporated herein in their entirety and will no be repeated. The secondary prior art reference to Hansen does not rectify the deficiencies identified in respect of Harder. Hansen teaches a boarding bridge 10 having telescoping sections A, B, C and roller assemblies that assist in reducing the downward load in overlapping areas of the bridge sections. However, just like the primary prior art reference to Harder, the secondary prior art referenced to Hansen is directed to a passenger bridge that is at "second-level" height off the ground, i.e., not ground level (See Hansen, Fig. 3). More specifically, Hansen's boarding bridge 10, which is supported above ground level by pedestal 16 and elements 20, 22, 24 and 28, does not teach or suggest the ability of the bottom of any section A, B or C of boarding bridge 10 to selectively incline from ground level of the terminal or the vehicle to the door sill of the aircraft. Consequently, the Harder-Hansen combination is defective in that it fails to teach or suggest a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended independent Claim 1, from which Claims 2-10, depend either directly or indirectly.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 2-10 pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the amended independent Claim 1.

In traversing the rejection of Claims 11 and 12 pursuant to 35 U.S.C. § 103(a), the Applicant first respectfully submits that the Harder-Hansen-Cherry combination is defective in that it fails to teach or suggest a gangway corridor unit being provided with a gangway that is pivotally attached at the rear end of the corridor unit and raisable at the forward end of the corridor, wherein the gangway is selectively inclinable from the ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended independent Claim 1 from which Claims 11 and 12, depend indirectly. The arguments presented hereinabove in respect of the primary prior art reference to Harder, the secondary prior art reference to Hansen, and the combination thereof as applied to Claim 1, are incorporated herein in their entirety and will not be repeated. The tertiary prior art reference to Cherry does not rectify the deficiencies identified above in respect of Harder, Hansen and the Harder-Hansen combination. Even if Cherry's scissor levers 40, 42 are incorporated into the alleged Harder-Hanson passenger bridge, the resulting Harder-Hansen-Cherry combination is still defective in that it does not teach or suggest that cabin 4 or section A, B or C of the resultant combined passenger bridge is provided with a gangway that is selectively inclinable from ground level of the terminal or the vehicle (ground exit) to the door sill of the aircraft, as particularly recited in the amended independent Claim 1 and argued hereinabove.

In further traversing the rejection of Claim 11, the Applicant respectfully submits that the Harder-Hansen-Cherry combination fails to teach or suggest scissor levers located on each side of the gangway corridor frame, as particularly recited in dependent Claim 11. Cherry teaches an ambulatory power lift 10 including a base 20 and a movable lifting platform 30 connected by scissor levers 40, 42. Cherry's scissor levers 40, 42 provide the ability to move the platform 30 in respect to the base 20 adapted to be supported <u>on the floor or the ground</u> during lifting operations. (See Cherry, Col. 2, lines 58-67). However, Claim 11 recites scissor levers located on each side of the gangway corridor frame, i.e., <u>not the floor or ground</u>. Therefore, Cherry teaches away from the invention recited in Claim 11. Additionally, even if *arguendo* Cherry's scissor levers were incorporated into the arguable Harder-Hansen combination, the combined Harder-

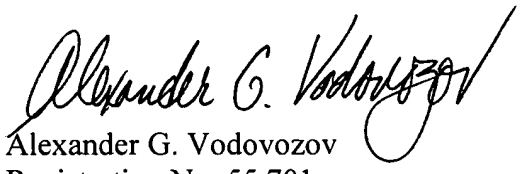
Hansen-Cherry passenger bridge would not be operable, as the Cherry's scissor levers 40, 42 which work in conjunction with the base 20 adapted to the floor or the ground, would inhibit the movement of the Harder-Hansen passenger bridge on Hansen's wheels 24. Therefore, there is no teaching or suggestion in the references and the Examiner has provided no rationale or motivation for combining the references to do what the Applicant has done, to wit, locating scissor levers on each side of the gangway corridor frame. Consequently, the Harder-Hansen-Cherry combination does not teach or suggest scissor levers located on each side of the gangway corridor frame, as particularly recited in dependent Claim 11.

In still further traversing the rejection of Claim 12, the Applicant respectfully submits that the Harder-Hansen-Cherry combination fails to teach or suggest scissor levers being attached to the horizontal plate and the horizontal plate being pivotally attached to the end of the gangway, as particularly recited in dependent Claim 12. As recited in Claim 12 (dependent from Claim 1), the gangway of the gangway corridor unit is pivotally attached at the read end of the gangway corridor unit and the horizontal plate is pivotally attached to the forward end of the gangway, whereby the movement of the transmission means (scissor levers) is directed to the both the horizontal plate and the gangway (See present Fig. 9). The Examiner has provided no rationale for combining Cherry's scissor levers with the Harder-Hansen passenger bridge in rejecting Claim 12. More specifically, the Applicant respectfully submits that the cited references do not provide a teaching, suggestion or motivation and the Examiner provides no rationale to pivotally attach Cherry's platform 30 to the front end of the two-part bottom of cabin 4 or section A, B or C of the combined Harder-Hansen passenger bridge, so that the movement of Cherry's scissor levers is directed to both the platform 30 and the two-part bottom of cabin 4 or section A, B or C. Consequently, the Harder-Hansen-Cherry combination does not teach, suggest or motivate one skilled in the art to make the gangway of the gangway corridor unit be pivotally attached at the rear end of the gangway corridor unit and pivotally attached at the forward end to the scissor levers, the movement of which is directed to both the horizontal plate and the gangway, making the gangway selectively inclinable, as particularly recited in Claim 12.

In view of the forgoing, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 11 and 12 pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the amended independent Claim 1, and further based on the respective inventive features of Claims 11 and 12.

In view of the foregoing, the Applicant believes this application is in condition for allowance and the Applicant henceforth respectfully solicits such allowance. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests the Examiner to call the undersigned, Applicant's attorney, at the following telephone number (516) 746-8000.

Respectfully submitted,



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